

REL: December 8, 2017

Notice: This opinion is subject to formal revision before publication in the advance sheets of Southern Reporter. Readers are requested to notify the **Reporter of Decisions**, Alabama Appellate Courts, 300 Dexter Avenue, Montgomery, Alabama 36104-3741 ((334) 229-0649), of any typographical or other errors, in order that corrections may be made before the opinion is printed in Southern Reporter.

ALABAMA COURT OF CIVIL APPEALS

OCTOBER TERM, 2017-2018

2150220

Frank Buck and Martha Buck

v.

CH Highland, LLC, and City of Birmingham

Appeal from Jefferson Circuit Court
(CV-15-901463)

On Remand from the Alabama Supreme Court

THOMAS, Judge.

This court's prior judgment has been reversed and the cause remanded by the Alabama Supreme Court. Ex parte Buck, [Ms. 1151011, Oct. 27, 2017] ___ So. 3d ___, ___ (Ala. 2017).

2150220

In compliance with our supreme court's opinion, we reverse the August 28, 2015, summary judgment of the Jefferson Circuit Court, entered in favor of CH Highland, LLC, and the City of Birmingham, and we remand the cause for further proceedings consistent with our supreme court's opinion.

REVERSED AND REMANDED.

Thompson, P.J., and Pittman, Moore, and Donaldson, JJ.,
concur.